

Docket No.: 050203-0151

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. National Stage Application of	:	Customer Number: 31824
	:	
Mitsuhiro NISHINA, et al.	:	Confirmation Number: 6774
	:	
International Application No.:	:	Group Art Unit: Not Yet Assigned
PCT/JP2004/012938	:	
	:	Examiner: Not Yet Assigned
International Filing Date: September 6, 2004	:	
	:	
U.S. Application No.: 10/577,495	:	
	:	
For: LIQUID DISCRIMINATING	:	
APPARATUS AND LIQUID	:	
DISCRIMINATING METHOD	:	

Mail Stop PCT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.  
 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Sir:

Applicants are in receipt of a Notification of Missing Requirements Under 35 U.S.C. 371, dated January 18, 2007, a copy of which is enclosed. On January 22, 2007, Applicants submitted an executed Declaration And Power Of Attorney (in compliance with 37 C.F.R. § 1.497 (a) and (b)). A Letter Submitting Declaration And Power Of Attorney authorizing the late filing surcharge of \$130.00 accompanied the Declaration. Copies of these documents, together with a copy of the date-stamped postcard evidencing their receipt in the USPTO on January 22, 2007, are enclosed.

In view of the January 22<sup>nd</sup> filing, Applicants submit that the missing requirements identified in the Notification have been satisfied.

Application No. 10/577,495

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 502203 and please credit any excess fees to such deposit account.

Applicants' undersigned representative can be reached in our Orange County, California office at 949.851.0633. All correspondence should continue to be directed to the address indicated below.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Andrew D. Mickelsen

Registration No. 50,957

18191 Von Karman Ave., Suite 500  
Irvine, CA 92612-7108  
Phone: 949.851.0633 ADM:gmb  
Facsimile: 949.851.9348  
**Date: January 29, 2007**

**Please recognize our Customer No. 31824  
as our correspondence address.**

ORC 406206-1.050203.0151



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/577,495	Mitsuhiro Nishina	050203-0151

INTERNATIONAL APPLICATION NO.
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PCT/JP04/12938

I.A. FILING DATE	PRIORITY DATE
09/06/2004	10/27/2003

31824  
 MCDERMOTT WILL & EMERY LLP  
 18191 VON KARMAN AVE.  
 SUITE 500  
 IRVINE, CA 92612-7108

**RECEIVED**  
 JAN 22 2007

MCDERMOTT WILL & EMERY LLP

CONFIRMATION NO. 6774

371 FORMALITIES LETTER

\*OC000000022033997\*

Date Mailed: 01/18/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/27/2006
- English Translation of the IA filed on 04/27/2006
- Copy of the International Search Report filed on 04/27/2006
- Information Disclosure Statements filed on 09/21/2006
- Request for Immediate Examination filed on 04/27/2006
- U.S. Basic National Fees filed on 04/27/2006
- Priority Documents filed on 04/27/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 Surcharge.

Matter No. 50203-151  
 Resp. Atty. ADM  
 Due Date: 3/18/07  
 Docketed: 1/22/07 dnt

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/577,495	PCT/JP04/12938	050203-0151

Applicants: Mitsubishi NISHINA, et al.

Docket No. 050203-0151

Serial No. 10/577,495

Title: LIQUID DISCRIMINATING APPARATUS AND LIQUID DISCRIMINATING METHOD

Patent No. \_\_\_\_\_

Date Sent: 1/22/2007 ☒ Hand Carried ☐ Fax ☐ Electronic ☐ Cert. of Mailing ☐ 1st Class Mail ☐ Express Mail No. \_\_\_\_\_

☐ Transmittal Letter ☐ Utility ☐ Design ☐ Cont. ☐ CIP ☐ Div. ☐ PCT ☐ RCE ☐ Prov

☐ New Patent App ☐ Other: \_\_\_\_\_

☐ Other: \_\_\_\_\_

pages of Specification

pages of Claims

pages of Abstract

pages of Formal/Informal Drawings

☐ Small Entity ☐ Large Entity

☒ Declaration/Power of Attorney

☒ Recordation of Assignment/Security Agreement

☐ Information Disclosure Statement

☐ Form PTO 1449

☐ References attached

☐ Preliminary Amendment

☐ Response to Missing Parts Notice

☐ Resp. to Notice to Correct App. Papers

☐ Certified Copy of Priority Doc.

☐ Claim for Convention Priority

☐ Response/Amendment to Office Action of \_\_\_\_\_

☐ Request for \_\_\_\_\_ month Extension of Time



☒ Other Letter Submitting Declaration And Power Of Attorney

☐ Letter submitting \_\_\_\_\_ pages of drawings

☐ Req. for Approval of Drawing Amendments

☐ Req. for Oral Hearing

☐ Not. of Appeal ☐ Appeal Brief ☐ Reply Brief

☐ Rule 312 Amendment/Letter

☐ Req. for Acknowledgment of Cited Art

☐ Issue Fee

☐ Publication Fee

☐ Req. for Certificate of Correction

☐ Maintenance Fee for \_\_\_\_\_ years after grant

☐ Fee Address Indication Form

☐ Terminal Disclaimer

☐ Petition to Commissioner

☐ Status Inquiry

☐ Other

Check for \$ 502203 Charge Deposit Acct. \$170.00 Atty Init. ADM Tkr. # 7856 Secy. or Pl. gmb HA

CMS Descrip.: (4) \$40.00 (5) \$130.00

THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS CHECKED ABOVE WERE RECEIVED BY THE PTO ON THE DATE STAMPED.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re U.S. National Stage Application of	:	Customer Number: 31824
Mitsuhiro NISHINA, et al.	:	Confirmation Number: 6774
International Application No.:	:	Group Art Unit: Not Yet Assigned
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U.S. Application No.: 10/577,495	:	
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APPARATUS AND LIQUID	:	
DISCRIMINATING METHOD	:	

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**LETTER SUBMITTING DECLARATION AND POWER OF ATTORNEY**

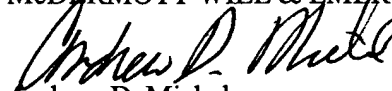
Sir:

Submitted herewith is a copy of an executed Declaration And Power Of Attorney for filing in the above-referenced application.

Please charge the Late Filing Surcharge of \$130.00 to Deposit Account No. 502203. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 502203 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Andrew D. Mickelsen  
Registration No. 50,957

18191 Von Karman Ave., Suite 500  
Irvine, CA 92612-7108  
Phone: 949.851.0633 ADM:gmb  
Facsimile: 949.851.9348  
**Date: January 19, 2007**  
ORC 405255-1.050203.0151

**Please recognize our Customer No. 31824 as  
our correspondence address.**